



in addition to the ink receiving layer and protective layer such as subbing layer, adhesive layer, etc. or a recording medium which is simply paper." Applicants submit that this assertion is in error.

The invention defines a recording medium that comprises a substrate coated with at least one ink receiving layer and at least one upper protective layer having polymeric particles with film forming temperatures between 60 to 140 °C and a binder.

Claims 17-30 define the process of using the recording medium as defined in Claim 1 in an ink jet printing method. In the present invention due to the presence of the polymeric particles the protective coating layer is "non-tacky". Thus when heated a stable image-protecting coating is formed wherein the image is retained on the original support "substantially within the upper protective layer" (see Applicants specification at page 4 lines 20-23). None of the other products suggested by the Examiner would produce this result.

The Manual of Patent Examining Procedure provides that restriction between patentably distinct inventions is proper when (1) the inventions are independent or distinct as claimed, and (2) unrestricted examination would seriously burden the Examiner. See MPEP 803. Neither criteria is met in the present case. It is believed that the fields of search for the recording sheet and composition claims of the invention overlap and that Patent efficiencies will be furthered by unrestricted examination of the application.

For the foregoing reasons, Applicants request that the Examiner reconsider her decision and withdraw the restriction requirement and examine claims 1-30 together.

AMENDMENT

Responsive to the Office Action dated August 3, 2001, please amend the above-identified application as follows: